

To: Mayor and Council

From: Patricia D. Adauto, Deputy City Manager for Building and Planning Services

Date: January 7, 2005

Subject: 01/11/05 Additions to the Agenda

Explanation for the placement of the following item on the additions to the agenda:

Resolution that the City supports a grant application to the National Vacant Properties Campaign for technical assistance to facilitate local solutions to vacant properties and infill development issues; and that the Deputy City Manager for Building & Planning Services be authorized to negotiate, the City Attorney's Office be authorized to prepare, and the Mayor or his designee be authorized to sign all documents necessary to support and to complete the application, and to accept the grant of technical assistance upon notice of award. The Mayor or his designee is hereby authorized to execute any necessary budget transfers to accomplish the intent of this Resolution. **(All Districts)**

Funding Source: To be determined upon grant award, and authorized by OMB.

[Building & Planning Services, Patricia D. Adauto, (915) 541-4853]

There is a grant submission deadline of January 15th. The latest Council meeting before the deadline is the January 11th meeting. Grants Office only recently found out about this grant, and they have moved quickly to meet the deadline. They also looked to get a submission extension, but were advised that it would likely be denied. Per direction of City Manager, we were asked to place on January 11 agenda. Thank you.

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Building & Planning Services

AGENDA DATE: January 11, 2005

CONTACT PERSON/PHONE: Patricia D. Adauto, Deputy City Manager

DISTRICT(S) AFFECTED: All

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Approve a resolution to apply for a grant for technical assistance that addresses vacant, blighted and abandoned properties and associated city initiatives. Grant amount is valued at \$70,000, with a required 100% match (approximately \$50,000 cash and \$20,000 in-kind services).

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Upon a grant award, the City will be offered in the range of 250 to 500 hours of technical assistance from a team of national experts that will study unresolved issues and ongoing initiatives regarding vacant properties. Among some of the ongoing City of El Paso programs to receive consideration are the Brownfield's program, Neighborhoods First, the recent MOU and resulting collaboration with HACEP regarding rehabilitation of "Struck-Off" properties, existing and possible future infill ordinances, and policies for land acquisition and disposition. The technical assistance is critical and would provide needed assistance for implementation. Additionally, the organizations associated with this campaign are also among the most progressive and highly regarded planning and nonprofit organizations in the nation.

Notice of award, if selected, will be given by mid-February. Technical assistance may begin within one to two months following award and for a period of one year. The Surdna Foundation, the private foundation partner underwriting a significant portion of this campaign, would automatically match the commitment made by the city for matching funds in the amount of \$50,000. In-kind personnel serving on a technical assistance team is required and expected to offer insights into El Paso's particular issues regarding vacant properties and infill.

The benefits to the City of this initiative is that it will strengthen the ability to study and implement strategies that reduce the number of properties not currently on the tax roll and eventually enable the community to reclaim properties and restore them to active use increasing the tax base and the city budget.

Citizen concerns would be that the city is proactively seeking assistance from national experts to implement model programs in a city in need of strong infill and vacant property policies. There should not be a perception of increased condemnations or eminent domain actions; this is not the intent of this initiative.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

No

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

To be determined upon grant award, and authorized by OMB.

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

None.

*******REQUIRED AUTHORIZATION*******

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD:

(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

RESOLUTION

WHEREAS, the City of El Paso is currently engaged in numerous initiatives regarding the issue of vacant property and infill development to meet the needs of the City's growth and development with regards to physical, social, economic and environmental conditions; and

WHEREAS, the City Council and staff support the grant application to the National Vacant Properties Campaign for technical assistance to facilitate local collaboration around defining problems and possible solutions to vacant properties and infill issues particular to the City of El Paso; and

WHEREAS, the resulting study will provide insight and guidance into ongoing initiatives and serve as a policy guide to the City Council, as well as serve as a planning tool to assure that future implementation plans are based on national expertise and model programs to meet existing and new growth throughout the city; and

WHEREAS, this study will facilitate solutions to emerging and existing property vacancy issues in neighborhoods and business districts throughout El Paso; and

WHEREAS, the El Paso City Council finds that the submission of the grant application will further the goals of both the neighborhoods and businesses of El Paso and will have no negative impact upon the public health, safety, and general welfare of the City, and will carry out the purpose and spirit of the policies expressed in *The Plan for El Paso*.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:

That the City of El Paso hereby supports the application to the National Vacant Properties Campaign for technical assistance; and that Patricia D. Adatao, the Deputy City Manager for Building and Planning Services be authorized to negotiate, the City

Attorney's Office be authorized to prepare, and the Mayor or his designee be authorized to sign all documents necessary to support and to complete the application, and to accept the grant of technical assistance for the purposes set forth herein upon notice of award. The Mayor or his designee is hereby authorized to execute any necessary budget transfers to accomplish the intent of this Resolution.

ADOPTED this ____ day of January, **2005**.

THE CITY OF EL PASO

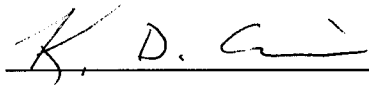
Joe Wardy,
Mayor

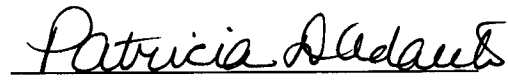
ATTEST:

Richarda Momson
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:


Kevin Elkins, Assistant City Attorney


Patricia D. Adauto,
Deputy City Manager
Building and Planning Services

-- Describe the scope of your locality's vacant property challenges. Discuss the particular obstacles and hurdles your community is facing in terms of addressing vacant and abandoned properties.

The main issues surrounding the City of El Paso's vacant property challenges include:

- Large swaths of vacant property "hot spots";
- Substandard rental (non-owner occupied) properties that pose health and safety risks. These properties number from many hundred to possibly thousands of units;
- Inability to carry out Brownfields projects to completion (including the use of existing \$1 million revolving loan fund);
- Union Plaza property vacancy (despite nearly \$40 million of public investment);
- Sprawl and related issues regarding land trusts and landbanking;
- Lack of rehabilitation and construction of low- and middle-income single-family housing;
- Lack of concerted Community Development Corporation Receivership Initiative;
- Lack of an identified target area or redevelopment district to carry out solution demonstrations;
- Above issue may be coupled with the lack of a redevelopment agency with taxing and bond issuance authority to lead such an initiative;
- Substandard new housing stock (due to lack of progressive design, material use, and construction techniques);
- Underused/Underutilized properties;
- Lack of Historic Property Adaptive Re-use;
- Lack of strong mixed-use policy and demonstrations;
- Low-income residential overcrowding.

Downtown revitalization is currently being addressed by a public/private partnership, but the issues affecting downtown reflect current and future vacancy issues across the entire city. Estimates of office vacancy rates in downtown El Paso are as high as 36 percent and are 20 to 30 percent in the east and west sides of the City of El Paso (El Paso Times – 7/18/2004). *Attachment 1* reveals an anecdotal reference to suburban sprawl evident in reported vacancy rates.

The obstacles to addressing vacant property in El Paso revolve around existing local policies and limitations imposed by Texas state law regarding the property rights of individuals. Dallas and Austin have instituted enabling legislation and created receivership programs that have fostered progress on the vacant property front that may be models and possibly may be duplicated through the technical assistance process.

Above all, a comprehensive approach must be developed that incorporates local government, business and non-governmental organizational goals into a unified policy of reclaiming abandoned properties. Increasing the tax base, revitalizing neighborhoods and fostering successful business districts should be the result of any policy implementation. Policies addressing substandard housing conditions must address overcrowding, landlord negligence, and provide incentives to entice investors towards infill development.

Without a well-developed implementation plan the City of El Paso is unable to participate in emerging public or private initiatives so a major goal of this technical assistance is to position the City of El Paso for such programs. Among grants and programs the city is

expecting to prepare for though this initiative are the Historic Surplus Property Program through the National Park Service, Texas Parks and Recreation Grants programs (which encourage land acquisition by the applicant (a currently complicated process), Smart Growth Planning and Implementation Grants, etc.

-- Of the four overarching types of assistance the Campaign offers, which do you think would be most beneficial in your community and why? Please indicate if the technical assistance is time sensitive and why. You may want to identify challenges in the following general components of revitalization strategies:

The need for technical assistance is very time sensitive because at least three initiatives are currently under way that can be supported by the expertise of the campaign's team. The most relevant of these initiatives revolves around a very recently enacted Memorandum of Understanding between the City of El Paso and the El Paso Housing Authority in which the Housing Authority plans to rehabilitate and sell to low and moderate-income families ten homes that have been foreclosed upon because of delinquent property taxes. This is a one-year pilot project that will commence in January 2005. Support from the campaigns team to troubleshoot arising issues during the project would be an indispensable advantage to offer the project a high probability for success and expansion.

The City of El Paso Parks and Recreation Department is currently in the process of rewriting its Comprehensive Master Plan. Among the issues yet to be addressed are parkland dedication issues regarding new subdivision development, land acquisition policies and strategies, and facilities acquisition and disposition. Expertise regarding these issues in relation to the department's long-term goals would be of tremendous assistance. Land resource management issues are also undergoing changes which might be.

Finally, the Neighborhoods First program of the City of El Paso is planning a citywide Neighborhoods Capacity Building Summit in April of 2005. Assistance in addressing vacant properties throughout El Paso's neighborhoods would be a critical component to be addressed by the technical assistance team from the Campaign. Identifying areas of opportunity for neighborhood initiatives (i.e. neighborhood reclamation and enhancements) and building collaborative initiatives with local nonprofits would be the focus of this particular area of assistance.

GA15-2005

GRANT APPLICATION REVIEW

DEPARTMENT

Building and Planning Services

TYPE OF GRANT

Technical Assistance Grant

CONTROL

839

GRANTOR

National Vacant Properties Campaign

EFFECTIVE DATE

January 14th, 2005

MATCHING FUND REQ



YES



NO

SOURCE OF FUNDS (GRANT AMOUNT, MATCHING, IN-KIND, INTERGOVERN.)

Grant Amount: (Technical Assistance Value) \$70,000

Matching: \$70,000 Combination of Cash and In-kind

\$50,000 cash - \$20,000 in-kind

PERSONNEL FUNDED BY GRANT

None

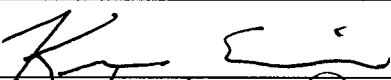
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BRIEFLY DESCRIBE HOW GRANT WILL BE USED AND ANY SPECIAL CONDITIONS FOR GRANT:

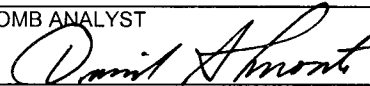
The grant is a request for technical assistance from the National Vacant Properties Campaign (NVPC), a partnership of Smart Growth America, the Local Initiatives Support Corporation, and the International City/County Management Association. NVPC is offering a new service to localities to assist in defining the practices, policies, and legislation that can help them address problems associated with vacant, blighted, and abandoned properties.

Specifically, the technical assistance proposal addresses vacant property issues in downtown, in neighborhoods, and business districts throughout the City of El Paso.

LEGAL



OMB ANALYST

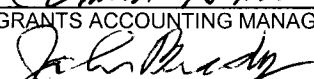


1-6-05

FINANCIAL OFFICER

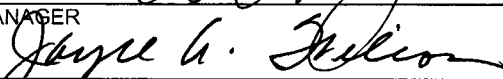


GRANTS ACCOUNTING MANAGER

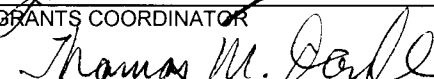


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CITY MANAGER



GRANTS COORDINATOR



1/6/05

COMMENTS

Internal Review Process: Department/Agency Grant > Grants Office > OMB Analyst > Grants Accounting Manager > Financial Officer > Legal > City Manager (and City Clerk > City Council > Mayor) > Department/Agency > Granting Agency

MINIMUM 50K CASH MATCH. 